

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND

IN RE: RAYMOND C. BRADBURY AND HEATHER A. BRADBURY DEBTORS.	CASE NO. 12-12104-WCH CHAPTER 13
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MEMORANDUM OF LAW IN SUPPORT OF OBJECTION OF OCWEN LOAN SERVICING,  
LLC AS LOAN SERVICER FOR DEUTSCHE BANK NATIONAL TRUST COMPANY, AS  
TRUSTEE FOR GSAMP TRUST 2005-WMC1, POOLING AND SERVICING AGREEMENT  
DATED AS OF SEPTEMBER 1, 2005 TO CONFIRMATION OF THE DEBTORS' CHAPTER  
13 PLAN

Now comes Ocwen Loan Servicing, LLC ("Ocwen") as loan servicer for Deutsche Bank National Trust Company, as Trustee for GSAMP Trust 2005-WMC1, Pooling and Servicing Agreement Dated as of September 1, 2005 ("Deutsche Bank") and files this memorandum in support of its objection to confirmation of the Debtors' Chapter 13 Plan. In support of its objection, Ocwen states as follows:

1. The Debtors filed the instant petition on June 20, 2012.
2. Deutsche Bank is the holder of a certain Note given by Debtors to WMC Mortgage Corp. dated June 9, 2005 in the original principal amount of \$164,800.00 (the "Note").
3. The Note is secured by a mortgage given by Raymond C. Bradbury and Heather A. Bradbury (hereinafter the 'Debtors') to Mortgage Electronic Registration Systems, Inc. as nominee for WMC Mortgage Corp. of even date and original principal amount encumbering the Debtors' single-family residence known as 61 Lafayette Street, West Warwick, RI 02893 as duly recorded with the Town of West Warwick Land Evidence Records in Book 1609, Page 286 (the "Mortgage"). Ocwen services the Debtors' mortgage account on behalf of Deutsche Bank.
4. Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for WMC Mortgage Corp. assigned the Mortgage to Deutsche Bank National Trust Company, as Trustee for GSAMP Trust 2005-WMC1, Pooling and Servicing Agreement dated as of September 1, 2005 by assignment dated February 13, 2012 as recorded with said Land Evidence Records in Book 2155, Page 126 [copy annexed hereto as Exhibit A].

5. The deadline for filing proofs of claim in this case is October 11, 2012. Ocwen as loan servicer for Deutsche Bank anticipates timely filing a Proof of Claim in this matter setting forth a total debt claim of approximately \$192,687.70 which sum includes a pre-petition mortgage arrears claim of approximately \$35,819.58.
6. The Plan filed by the Debtors in this matter only provides for a pre-petition mortgage arrears of \$30,000.00 to Ocwen. See Section "B", under roman numeral IV, "Secured Claims". Since the plan does not provide for the full pre-petition arrears owed to Ocwen, the plan violates the provision of Section 1322(b)(5) of the Code.

Wherefore, Ocwen respectfully requests that the Court:

- (1) Deny confirmation of the Debtors' Chapter 13 Plan; and
- (2) Grant such further relief as the Court deems just.

Date: August 13, 2012

Respectfully submitted,  
Deutsche Bank National Trust Company, as Trustee  
for GSAMP Trust 2005-WMC1, Pooling and  
Servicing Agreement Dated as of September 1,  
2005  
by its attorney,

/s/ Lynn Bouvier Kapiskas  
Lynn Bouvier Kapiskas, Esquire  
RI# 3921  
176 Eddie Dowling Highway, Suite 101  
North Smithfield, RI 02903  
(401) 769-4120  
(Local Counsel)

/s/ Susan W. Cody  
Susan W. Cody, Esquire  
RI# 6150  
Korde & Associates, P.C.  
321 Billerica Road, Suite 210  
Chelmsford, MA 01824-4100  
Tel: (978) 256-1500  
bankruptcy@kordeassoc.com  
(Primary Counsel)